

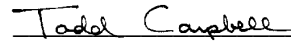
FREDERICK and DENISE SMITH)
)
v.) NO. 3-10-0800
) JUDGE CAMPBELL
AMERICA’S WHOLESALE LENDER,)
et al.)

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in this Court pursuant to 28 U.S.C. § 1331, federal question jurisdiction. Plaintiffs contend that Defendants violated the Federal Fair Debt Collection Practices Act. There is no allegation of diversity jurisdiction. Moreover, Plaintiffs do not ask the Court to realign the parties for jurisdictional purposes; Plaintiffs want the Court to realign the parties for purposes of the burden of proof.

Plaintiffs initiated this action and bear the burden of proving their claims. Defendants bear the burden of proving their defenses. For these reasons, Plaintiffs' Motion to Realign the Parties is DENIED.

IT IS SO ORDERED.



TODD J. CAMPBELL
UNITED STATES DISTRICT JUDGE